

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH, NAGPUR.  
Writ Petition No. 3100/2006  
Fransalian Education Society and another  
Vs.  
State of Maharashtra and another

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Office Notes, Office Memoranda of Coram  
appearances, Court's orders or directions  
and Registrar's orders.

Court's or Judge's Orders

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CORAM : **A.P. LAVANDE AND**  
**R. V. MORE, JJ.**  
DATED : 4/9/2007

Heard Mr. Agrawal, learned counsel for the petitioners and Mrs. Joshi, learned AGP for the respondent nos.1 and 2.

By this petition, the petitioner challenges action of respondent no.2 refusing approval to the appointment of petitioner no.3 as peon. The respondent no. 2 refused to grant approval on the ground that there was ban on the appointment of peon in secondary school at the relevant time.

Mr. Agrawal, learned counsel for the petitioner placing reliance upon the order dated 6<sup>th</sup> December, 2006 in Writ Petition No.1448/2005 submitted that since ban has already been lifted, the respondent no.2 be directed to reconsider grant of approval.

Mrs. Joshi, learned AGP states that if the petitioner nos. 1 and 2 submit fresh proposal to respondent no.2 the same shall be considered by respondent no.2 within a reasonable time.

In view of the above, we dispose of petition by passing the following order:-

1. The petitioner nos. 1 and 2 shall submit fresh proposal within a period of two weeks from today for approval of Petitioner no.3 as peon in the petitioner no.2 school.

2. In case, such proposal is submitted, the respondent no.2 shall consider the same on its own merits as per law in force within a period of six weeks from the date of receipt of proposal.

Petition stands disposed of in the aforesaid terms There shall be no order as to costs.

**JUDGE**

**JUDGE**

MLA.